

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 21, 2010**

DIVISION ONE

B215175      Goodrich Corporation, et al.  
v.  
State Water Resources Control Board, et al.

Filed order modifying opinion. (No change in the judgment)

DIVISION TWO

B218894      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
V.V.

As they pertain to J.C. and D.C., the jurisdictional findings for counts b-1, b-3, d-1, d-2, j-1 and j-3 are reversed. All other jurisdictional findings, and the jurisdictional and dispositional orders, are affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Chavez, J.

B214453 People (Not for Publication)  
v.  
Mendez

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

DIVISION TWO (continued)

B207543      Jack Eskenazi      (Not for Publication)

v.

James Devitt, et al.

Liane Enkelis

The orders granting the anti-SLAPP motions in part for Claudia and Devitt and in full for Enkelis, and the orders awarding attorney fees, are affirmed. The orders denying the anti-SLAPP motions in part for Claudia and Devitt are reversed. Devitt, Claudia and Liane Enkelis are entitled to their costs on appeal.

Ashmann-Gerst, J.

We concur:    Boren, P.J.  
Doi Todd, J.

B214873      People      (Not for Publication)

v.

Orozco

The judgment is modified to strike the 15-year minimum parole eligibility period, and appellant is sentenced to life plus 25 years to life. The judgment is otherwise affirmed. On remand, the trial court is directed to correct the abstract of judgment to reflect the modified sentence.

Ashmann-Gerst, J.

We concur:    Boren, P.J.  
Chavez, J.

DIVISION TWO (continued)

B218692      The Signal Hill Redevelopment Agency      (Not for Publication)  
                 v.  
                 Lou F. Palmer

The order of the trial court is affirmed. The agency is entitled to costs on appeal.

Ashmann-Gerst, J.

I concur:      Chavez, J.  
I dissent:      Doi Todd, Acting P.J. (Opinion)

DIVISION THREE

B217613      Rena      (Not for Publication)  
                 v.  
                 Rigel USA, Inc., et al.

The order denying the special motion to strike is affirmed. Costs on appeal are awarded to plaintiff James Rena.

Kitching, J.

We concur:    Klein, P.J.  
                 Aldrich, J.

B215755      Toscano      (Not for Publication)  
                 v.  
                 Toscano

The order is affirmed. Costs on appeal are awarded to respondent Michael Toscano.

Kitching, J.

We concur:    Klein, P.J.  
                 Aldrich, J.

## July 21, 2010 (Continued)

### DIVISION THREE (continued)

B211626      St. Ives      (Not for Publication)  
v.  
Rosenthal

The superior court orders dated May 5, 2008 and August 21, 2008 are affirmed. The parties shall bear their own costs on appeal.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

B219040      L.A. County D.C.F.S.      (Not for Publication)  
v.  
A.S.

The orders of the juvenile court dated July 9, July 31, September 10, 2009, are affirmed.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

B211578      People      (Not for Publication)  
v.  
Kelly Coleen Mahaffey

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION THREE (continued)

B220715      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
O.O.

The disposition order is reversed and the trial court is directed to hold a properly noticed adjudication and disposition hearing.

Croskey, J.

We concur:   Klein, P.J.  
                  Kitching, J.

B213476      Van Wormer Resorts, Inc.      (Not for Publication)  
v.  
Van Laningham, et al.

The orders appealed from are affirmed. The defendants shall recover their costs on appeal.

Croskey, J.

We concur:   Klein, P.J.  
                  Aldrich, J.

B208620      Singh  
v.  
Southland Stone, Inc., et al.

Filed order denying petition for rehearing.

## DIVISION FOUR

B218011      People                          (Not for Publication)  
v.  
D.H.

The maximum term of confinement set forth in Adjudication/Disposition order entered on July 20, 2009 is stricken, and the judgment is affirmed in all other respects.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

B215698 People (Not for Publication)  
v.  
Anguiano

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

B213522      People      (Not for Publication)  
v.  
Velazquez

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Suzukawa, J.

## July 21, 2010 (Continued)

## DIVISION FOUR (continued)

B213522 People (Not for Publication)  
v.  
Velazquez

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The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Suzukawa, J.

B218000      Subkoski      (Not for Publication)  
v.  
The Standard Fire Insurance Company

The judgment is affirmed. Respondent(s) to recover costs.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

B213264      Enayati      (Not for Publication)  
v.  
Enayati

The November 2008 interlocutory order is affirmed. Respondent is awarded his costs on appeal.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

## DIVISION FOUR (continued)

B223285      Hector D.      (Not for Publication)

V.

Superior Court, Los Angeles County

(Los Angeles Department of Children and Family Services et al.)

The petition for extraordinary relief is granted. The orders denying reunification services to Hector regarding Amy and setting a hearing with respect to Hector's rights concerning Amy under section 366.26 are reversed. The matter is remanded to the juvenile court to vacate the orders denying reunification services and setting the section 366.26 hearing, to enter a new order granting Hector reunification services, and to conduct further proceedings in accordance with this opinion. The stay of the section 366.26 hearing as to Moses and Michelle is dissolved.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

## DIVISION FIVE

B218199 People (Not for Publication)

V.

Charles Colbert

The judgment is modified to include the additional fees, penalties and surcharge set forth in part III(B) of this opinion. The judgment is affirmed in all other respects.

Turner, P.J.

We concur:   Armstrong, J.  
                      Mosk, J.



July 21, 2010 (Continued)

DIVISION FIVE (continued)

B219717      Craig Nevius, et al.                      (Not for Publication)  
                 v.  
                 Richard Francis, et al.

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, Acting P.J.

We concur:    Kriegler, J.  
                 Ferns, J. (Assigned)

DIVISION SIX

B217691      People    (Not for Publication)  
                 v.  
                 Levine

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, P.J.  
                 Coffee, J.

B219143      People    (Not for Publication)  
                 v.  
                 Rodriguez

The judgment is affirmed.

Perren, J.

We concur:    Gilbert, P.J.  
                 Yegan, J.

DIVISION SIX (continued)

B212975      Edwin Baker      (Certified for Publication)

v.

American Horticulture Supply, Inc.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B215635      People      (Not for Publication)

v.

Cox

The enhancements based on the jury's finding that Cox violated Penal Code section 186.22, subdivision (b) are vacated. Cox's conviction is otherwise affirmed and the matter is remanded to the trial court for resentencing consistent with this opinion.

Zelon, J.

We concur:    Woods, Acting P.J.  
                 Jackson, J.

B214924      People      (Not for Publication)

v.

Gomez

The judgment is modified to impose a total of 14 court security fees under Penal Code section 1465.8. The clerk of the superior court is directed to prepare a corrected abstract of judgment and to forward a certified copy of the abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Zelon, J.

We concur:    Perluss, P.J.  
                 Jackson, J.

DIVISION SEVEN (continued)

B215913      Rival, as Trustee, etc.,      (Not for Publication)  
                 v.  
                 Gonzalez, et al.

The judgment is affirmed. Respondents shall recover their costs on appeal.

Zelon, J.

We concur:    Perluss, P.J.  
                 Woods, J.

B212555      People      (Not for Publication)  
                 v.  
                 Guevara

We remand for re-sentencing; in all other respects, the judgment is affirmed.

Zelon, J.

We concur:    Perluss, P.J.  
                 Jackson, J.

B213240      Sangster      (Not for Publication)  
                 v.  
                 Rehabilitation Appeals Board

The judgment is affirmed. Respondent shall recover its costs, if any, on appeal.

Zelon, J.

We concur:    Woods, Acting P.J.  
                 Jackson, J.

July 21, 2010 (Continued)

## DIVISION SEVEN (continued)

B217150 People (Not for Publication)  
v.  
Hilbert

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Jackson, J.

B220947      Community Bank, et al.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Mimi Shanahan)

The Bank's petition for writ of mandate is denied. Mimi's petition for writ of mandate is granted with directions to the superior court to set aside its December 3, 2009, order on the Bank's motion for clarification and to enter a new and different order requiring the Bank to return to Mimi the Draft Memo document in Exhibit 15 (Bates number CB 1899-1902). Mimi is awarded her costs relating to these petitions.

Woods, J.

We concur: Perluss, P.J.  
Jackson, J.

July 21, 2010 (Continued)

DIVISION SEVEN (continued)

B221164      Mimi Shanahan                      (Not for Publication)

v.

Superior Court, Los Angeles County  
(Community Bank et al.)

The Bank's petition for writ of mandate is denied. Mimi's petition for writ of mandate is granted with directions to the superior court to set aside its December 3, 2009, order on the Bank's motion for clarification and to enter a new and different order requiring the Bank to return to Mimi the Draft Memo document in Exhibit 15 (Bates number CB 1899-1902). Mimi is awarded her costs relating to these petitions.

Woods, J.

We concur:    Perluss, P.J.  
                     Jackson, J.